

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

~~11/06/2003 TBESHAH1 00000034 501287 10700265~~

~~01 FC:1001 770.00 DA~~  
~~02 FC:1202 288.00 DA~~

Adjustment date: 01/12/2004 EEKUBAY1  
11/06/2003 TBESHAH1 00000034 501287 10700265  
01 FC:1001 770.00 CR  
02 FC:1202 288.00 CR

01/12/2004 EEKUBAY1 00000010 501287 10700265

01 FC:2001 385.00 DA  
02 FC:2202 144.00 DA

PTO-1556  
(5/87)

**JACOX, MECKSTROTH & JENKINS**

ATTORNEYS AT LAW

PATENT, TRADEMARK & COPYRIGHT MATTERS

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TELEPHONE  
937/298-2811

January 2, 2004

PATENT MAINTENANCE  
DIVISION

2004 JAN -7 AM 11:30

US PATENT & TRADEMARK  
OFFICE  
FACSIMILE  
937/298-7418

Mail Stop 16  
Director of the U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Deposit Account No. 50-1287  
U. S. Patent Application 10/700,265  
Filed November 3, 2003  
for SHOOTER'S REST  
Inventors: Steven W. Minneman  
Docket MTM 045 P2

Certificate of Mailing	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Mail Stop 16, Director of the U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>1/2/04</u> (date)	
<u>Rebecca Lantis</u> typed or printed name of person mailing paper or fee	
<u>Rebecca Lantis</u> Signature	

Sir:

REQUEST FOR REFUND UNDER 37 CFR §1.26

On November 3, 2003, Applicant filed a Utility Patent Application for the above-mentioned application number. The Applicant was identified as a small entity in the Utility Patent Application Transmittal, Fee Transmittal for FY 2004 and the Application Data Sheet. Applicant inadvertently authorized the Commissioner to charge the Deposit Account No. 50-1287 for the basic filing fee in the amount of \$770.00 for a large entity, **which is in error**, and an extra claim fee of \$144.00, which was based on a the small entity status, which is correct. On the November 2003 Electronic Statement Deposit Account 50-1287 was charged \$288.00 for fee code 1202, the large entity fee for claims in excess of 20.

Applicant requests a refund for the filing fee in the amount of ~~\$529.00~~ to be credited to Deposit Account 50-1287. This request is timely followed within 2 months of Applicants filing date.

Enclosed please find copies of the Utility Patent Application Transmittal Form PTO/SB/05, as filed, Fee Transmittal for FY 2004 Form PTO/SB/17, as filed and the Application Data Sheet as filed.

Respectfully submitted,

JACOX, MECKSTROTH & JENKINS

By

Matthew R. Jenkins  
Matthew R. Jenkins  
Reg. No. 34,844

Enclosure

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> 2004 JAN -7		<b>PATENT MAIL DIVISION</b>	<b>Attorney Docket No.</b> MTM 045 P2
		<b>First Inventor</b>	STEVEN W. MINNEMAN
		<b>Title</b>	SHOOTER'S REST
(Only for new nonprovisional applications under 37 CFR 1.53(b))		<b>Express Mail Label No.</b>	EL915640101 US

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
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<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>13</u>] (preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>4</u>]</p> <p>5. Oath or Declaration [Total Sheets <u>2</u>]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input type="checkbox"/> Paper</p> <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p>
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**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

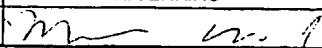
Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number:	34232	OR	<input type="checkbox"/> Correspondence address below
Name	MATTHEW R. JENKINS, ESQ.		
Address	JACOX, MECKSTROTH & JENKINS 2310 FAR HILLS BUILDING		
City	DAYTON	State	OH
Country	USA	Telephone	937-298-2811
		Zip Code	45419
		Fax	937-298-7418
Name (Print/Type)	MATTHEW R. JENKINS	Registration No. (Attorney/Agent)	34844
Signature		Date	11-3-03

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

\*Express Mail\* mailing label number EL915640101 US Date of Deposit 11/3/03 I hereby certify that the foregoing documents are being deposited with the United States Postal Service at the address above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Rebecca LANTIS (typed or printed name) Rebecca Lantis (signature).

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Approved for use through 07/31/2006/OMB/6651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
PATENT FEE PTO/SB/47 (10-03)

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 914.00

Complete if Known

Application Number 2004 JAN -7 AM 11:30  
Filing Date  
First Named Inventor STEVEN W. MINNEMAN  
Examiner Name  
Art Unit  
Attorney Docket No. MTM 045 P2

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-1287  
Deposit Account Name MATTHEW R. JENKINS

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 770.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 36  
Independent Claims 3  
Multiple Dependent Claims 3  
Extra Claims Fee from below  
-20\*\* = 16 X 9 = 144  
-3\*\* = X =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 144.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

SUBMITTED BY

Name (Print/Type)

MATTHEW R. JENKINS

Signature

Registration No. (Attorney/Agent)

34844

(Complete if applicable)

Telephone 937-298-2811

Date

11-3-03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DATA ENTRY SHEET****Initial Information Data Sheet**

(Single Inventor with Representation)

**Application Data Sheet**

2003 JAN 7 AM 11:30

US PATENT & TRADEMARK  
OFFICE**Application Information**

Application Type:: REGULAR

Subject Matter:: UTILITY

Suggest Classification::

Suggested Group Art Unit::

CD-ROM or CD-R?

Title:: SHOOTER'S REST

Attorney Docket Number:: MTM 045 P2

Request for Early Publication?: NO

Request for Non-Publication?: NO

Suggested Drawing Figure::

Total Drawing Sheets:: 4

Small Entity?: YES

Petition included?: NO

Secrecy Order in Parent Appln?: NO

**Applicant Information**

Applicant Authority type:: Inventor

Primary Citizenship Country:: USA

Status:: FULL-CAPACITY

Given Name:: STEVEN

Middle Name:: W

Family Name:: MINNEMAN

City of Residence:: CLAYTON

State or Province of Residence:: OH

Country of Residence:: USA

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City of mailing address:: CLAYTON

State or Province of Residence of mailing address:: OH

Postal or Zip Code of mailing address:: 45315

PATENT MAINTENANCE  
DIVISION

7001 JAN -7 AM 11:30

US PATENT & TRADEMARK  
OFFICE

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### Representative Information

Representative Designation::	Registration Number::	Name::
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Associate	22,607	Alan F. Meckstroth
Associate		
Associate		